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Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by the Government of New Zealand

Article I: New Zealand views the commitment of nuclear-weapon States not to contribute to the proliferation of nuclear weapons or explosive devices under article I as a core component of broader nuclear non-proliferation efforts. This commitment is also important in the context of the threat of the acquisition of such items by non-State actors.

Article II: New Zealand is in full compliance with its commitments contained in article II. New Zealand's obligations under the Treaty are legislated in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act of 1987. New Zealand's concerns about compliance by other non-nuclear weapon States have been expressed in various forums, including at the International Atomic Energy Agency (IAEA), and in bilateral contacts.

Article III: New Zealand has a comprehensive safeguards agreement and an additional protocol in force with IAEA. In 2001, IAEA assessed New Zealand to be in full compliance with all its safeguards commitments. New Zealand, as a State with a Small Quantities Protocol, is supportive of the decision of IAEA to modify the Small Quantities Protocol to address weaknesses in the safeguards system identified by the Agency. New Zealand applies export controls to materials and dual-use goods which can be used in a nuclear weapons programme and is a member of the Nuclear Suppliers Group.

Article IV: New Zealand reaffirms the inalienable right of States parties to peaceful nuclear technology, as long as it is exercised in conformity with articles I, II and III of the Treaty. New Zealand has been active at such forums as IAEA in promoting close attention to the safe transport of radioactive materials and radioactive waste. New Zealand is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested States receive notification in advance of shipments and that adequate liability arrangements be in place.

Article V: New Zealand is actively engaged in efforts to promote the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). As one of the 13 practical steps agreed upon at the 2000 Review Conference, entry into force of

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CTBT would constitute a significant step towards a nuclear-weapon-free world. At the United Nations in 2008, New Zealand, with Australia and Mexico, was a lead sponsor of General Assembly resolution 63/87 (CTBT), in which the Assembly urged all States that have not yet done so to ratify the Treaty without delay.

New Zealand ratified CTBT in March 1999 and enacted the Treaty domestically in the Nuclear Test Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear-Free-Zone Treaty and the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act of 1987.

Article VI: With its partners in the New Agenda Coalition, New Zealand has worked hard to promote the negotiations in good faith relating to the cessation of the nuclear arms race and to nuclear disarmament. At the United Nations in 2008, New Zealand, with the New Agenda Coalition, was a lead sponsor of a resolution entitled "Towards a nuclear weapon free world: accelerating the implementation of nuclear disarmament commitments", which highlighted limited progress on many issues relating to the Treaty on the Non-Proliferation of Nuclear Weapons and called upon all States to abide fully by their commitments.

New Zealand was also pleased to promote a resolution at the United Nations in 2008, along with Chile, Malaysia, Nigeria, Sweden and Switzerland, calling for action to lower the operational readiness of nuclear weapons systems. General Assembly resolution 63/41 ("Decreasing the operational readiness of nuclear weapons systems") attracted a strong level of support and New Zealand will be looking to build on this solid foundation in the contexts of both the Non-Proliferation Treaty and the United Nations.

At the Conference on Disarmament, New Zealand remains supportive of proposals for a programme of work, including on nuclear disarmament, fissile materials, negative security assurances and outer space. Commencement of negotiations in the Conference on Disarmament on a fissile material cut-off treaty without preconditions would make a significant contribution to nuclear disarmament and non-proliferation.

Article VII: New Zealand is a staunch advocate of the role of nuclear-weapon-free zones in contributing to nuclear disarmament and non-proliferation. New Zealand is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act of 1987).

The establishment of a Southern Hemisphere nuclear-weapon-free zone remains a key objective for New Zealand, which works with Brazil in the General Assembly to advance this initiative (see General Assembly resolution 63/65). We welcome the recent ratifications to the Treaty of Pelindaba, whose entry into force is essential to the realization of this initiative.

Article VIII: New Zealand supports the text of the Treaty on the Non-Proliferation of Nuclear Weapons as it stands. New Zealand will participate fully in the eighth Review Conference of the Treaty in 2010 and the meetings of its Preparatory Committee.

Article IX: New Zealand continues to emphasize the importance of universalization of the Treaty on the Non-Proliferation of Nuclear Weapons, calling on India, Israel

and Pakistan to accede to the Treaty as non-nuclear-weapon States, in accordance with article IX, as a matter of priority.

The Democratic People's Republic of Korea announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons remains of concern to New Zealand. New Zealand strongly supports the six party talks and hopes that this process will eventually lead the Democratic People's Republic of Korea to return to active membership of the Treaty, meeting its obligations under the Treaty and resuming cooperation with IAEA.

Article X: New Zealand joined the consensus decision in 1995 that the Treaty on the Non-Proliferation of Nuclear Weapons should be extended indefinitely. The 1995 Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons adopted a package of decisions in 1995 and all of these elements remain extant. In New Zealand's view, the extension of the Treaty on the Non-Proliferation of Nuclear Weapons was not a permit for the indefinite possession of nuclear weapons.

Thirteen steps

Steps 1 and 2: New Zealand ratified CTBT in March 1999, having taken an active part in its negotiation. At the General Assembly in 2008, New Zealand was a core sponsor of resolution 63/87 on CTBT, which reiterated calls for universal ratification of that Treaty. Pending ratification of the Treaty, New Zealand has been active in the establishment of the Treaty's international monitoring system.

New Zealand endorsed a joint ministerial statement on CTBT in 2008 which called upon "all States to continue a moratorium on nuclear-weapon-test explosions or any other nuclear explosions" pending official ratification of the Treaty. New Zealand has worked with Pacific countries to put in place the South Pacific Nuclear Free Zone Treaty, which bans nuclear testing. Twenty years ago New Zealand also established a New Zealand nuclear-free zone with the passage of the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act of 1987.

Steps 3 and 4: New Zealand actively supports the current efforts in the Conference on Disarmament to agree a programme of work that would see a negotiation commencing on a fissile material cut-off treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space.

Step 5: New Zealand has argued, in partnership with the New Agenda Coalition, that irreversibility in nuclear disarmament, nuclear reductions and other related nuclear arms control measures is imperative. The New Agenda Coalition resolution to the General Assembly in 2008, resolution 63/58, reaffirmed that nuclear disarmament and non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts.

Step 6: New Zealand, in partnership with the New Agenda Coalition, urges States to live up to the unequivocal undertaking jointly agreed at the 2000 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference, for the total elimination of nuclear arsenals. This undertaking remains extant. New Zealand has reminded States of their obligations through various statements in the context of the Treaty on the Non-Proliferation of Nuclear Weapons. The unequivocal undertaking on the part of all Treaty signatory States is a foundation on which the New Agenda Coalition continues to build.

New Zealand welcomes the widespread support demonstrated in recent years for the taking of further practical steps to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high-alert status. Reduction in deployments and the lowering of nuclear weapon systems operational status contribute to nuclear disarmament through the enhancement of confidence-building and transparency measures and reinforce a diminishing role for nuclear weapons in security policies.

Steps 7 and 8: New Zealand welcomes the recent announcement by the United States of America and the Russian Federation that negotiations on a new nuclear reductions agreement are about to get under way. We urge both sides to work for a robust and ambitious agreement that contains irreversible and verifiable cuts in both strategic and non-strategic arsenals. Such an agreement would demonstrate a concrete commitment to nuclear disarmament in advance of the 2010 Review Conference.

Step 9: New Zealand supports the full range of measures outlined in this step and continues to call on all nuclear-weapon States to reduce their nuclear arsenals, both strategic and non-strategic, and to take steps to reduce the role of nuclear weapons in their military doctrines, including through a reduction in the operational readiness of their nuclear weapon systems. New Zealand urges all nuclear-weapon States to be more transparent about their nuclear weapons capabilities, which would represent an effective confidence-building measure.

Step 10: New Zealand recognizes and welcomes the fact that all non-nuclear-weapon States have already accepted full controls on fissile materials. These controls are verified and administered by IAEA. New Zealand urges nuclear-weapon States to adopt similar commitments in this area. New Zealand supports the early negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices and welcomes efforts currently under way in the Conference on Disarmament in this regard.

Step 11: New Zealand engages in a wide range of disarmament work relating to weapons of mass destruction and conventional weapons. Through active membership of the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological Weapons Convention, New Zealand campaigns for progress towards the total elimination of weapons of mass destruction. New Zealand has also played a leading role in international efforts regarding certain conventional weapons, particularly in development of the Convention on Cluster Munitions, which was signed by 94 States in December 2008. There is close cooperation between New Zealand and Pacific neighbours on efforts to reduce and control the illicit trade in small arms and light weapons. New Zealand also belongs to four major export control regimes: the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime.

Step 12: New Zealand submitted a report to the first and second sessions of the Preparatory Committee for the eighth review conference of the Treaty on the Non-Proliferation of Nuclear Weapons, which set out New Zealand's progress with regard to each article of the Treaty. The reporting mechanism outlined in step 12 is essential in promoting transparency and to build confidence about States' implementation of the Treaty.

Step 13: New Zealand has given strong support to a system of strengthened IAEA safeguards, including in regional disarmament discussions. The IAEA safeguards system is an essential component of the global non-proliferation regime. New Zealand believes that an additional protocol, together with a comprehensive safeguards agreement, form the contemporary verification standard and should always feature as a condition in new supply arrangements. Universal application of the integrated safeguards system, including the additional protocols, would promote collective security. New Zealand continues to call upon those States which have not yet concluded any safeguards agreement with IAEA to do so at the earliest possible date.